

REMARKS

Claims 1, 19-22 and 29-32 have been amended and, thus, in view of the forgoing claims 1-32 remain pending for reconsideration which is requested. No new matter has been added.

In the prior Office Action, at pages 2-7, numbered paragraph 6, claims 1-4, 7, 9-12, 14-18 and 20-21 were rejected under 35 U.S.C. §103 over Strauss and Selker. Claims 5, 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentability over Strauss, Selker and Warnock.

The Examiner is requested to consider the un-entered and not considered Amendment filed on October 12, 2007 and the Remarks made therein.

As discussed with the Examiner during an Interview in a related case (10/684,580) Strauss is designed to allow a user to change a function being performed while in the middle of a drag operation ("The invention provides an unambiguous way for a user to change the drag functionality of a cursor during a drag operation" see Strauss Abstract, last 8 lines). As a result, the drag tool bar or menu is specifically made visible during the drag operation ("Further, the graphical user interface is not cluttered, since the Drag Toolbar only appears when a drag operation is initiated." see Strauss Abstract, last 5 lines).

In contrast, when a control is active in the present invention, the menu or controls are not visible (see, for example, application paragraph 34). This is emphasized in claim 1 by "the menu and controls are ... always not visible when one of the controls is activated".

The drag tool bar 7/40 or menu of Strauss is designed to be visible during the drag operation and a different drag operation, say copy instead of move, can be selected by passing the cursor over the copy button ("FIG. 1C shows that the user has moved the cursor 4 over the COPY control button 8, thus creating a detectable event that selects that function to replace the default MOVE function for the drag operation." see Strauss, col. 3, line 66 - col. 4, line 2). Strauss has a secondary feature called a follow me zone 41, which is designed to allow the drag tool bar to be pulled around by the movement of the cursor 4 during a drag operation. The follow me zone 42 boundary is intentionally not coincident with the menu boundary. As shown to the Examiner in the Interview, when the menu boundary and the follow me zone boundary are made coincident, errors in drag operation occurs because the cursor can be unintentionally be caused to cross the menu selecting a different operation. That is, making the follow me boundary coincident with the menu boundary, as the Examiner has suggested, would destroy

the purpose of the visibility of the menu during the drag operation called for by Strauss ("unambiguous way to ... change" see above). As a result, it is submitted that Strauss would not be modified as the Examiner has suggested to make the follow me boundary coincident with the menu boundary.

In contrast, claim 1 calls for "a second region control associated with the first region control having an outer edge and initiating a second function; a tracking menu boundary surrounding the first and second region controls and coincident with the outer edge".

In addition, claim 1 emphasizes that "the menu is always visible when one of the controls is not activated". This is in contrast to the prior art which says nothing about such..

Warnock adds nothing to Strauss and Selker with respect to the above-discussed features.

The above discussion can be looked to by the Examiner during a review of independent claims 19-22 and 29-32.

It is submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.

Respectfully submitted,

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Date: February 26, 2007

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